

REMARKS

Claims 1-5 are pending in the application.

Claim 1 is currently amended.

The Examiner is requiring Applicants to elect a single species. In a telephone interview with Examiner Pryor on December 10, 2008, Applicants discussed with Examiner Pryor the burden of the election required in the office action dated October 17, 2008.

The Examiner is now requiring election of the following:

- 1) Pesticide
- 2) Extracting Fluid

Applicants hereby elect:

- 1) Imidicloprid and metalaxyl representing the Pesticides
- 2) Acetonitrile representing the Extracting Fluid

Applicants assert they have made a complete response to the election requirement of the Examiner and that the claims are in condition for examination on the merits. If any fee is due in connection with this response, the Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.

Respectfully submitted,

USPTO Customer No. 26748
Syngenta Crop Protection, Inc.
Patent and Trademark Dept.
410 Swing Road
Greensboro, NC 27409
(336) 632-6757

/JAMES CUEVA/
James Cueva
Attorney for Applicant
Reg. No. 58,558

Date: December 10, 2008